Practitioner's E

PATENT

Preliminary Classification<sup>1</sup>

**Proposed Class** 

Subclass

NOTE

"All applicants are requested to include a preliminary classification on newly filed patent applications The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129' " MPEP § 601, 7th ed



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box Patent Application Assistant Commissioner for Patents** Washington, D.C. 20231

### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s):

Andrew COX

WARNING: 37 CFR § 1 41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1 63, except as provided for in § 1 53(d)(4) and § 1 63(d) If an oath or declaration as prescribed by § 1 63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1 53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1 17(i) is filed supplying or changing the name or names of the inventor or inventors "

For (title): Testing an Image Display Device

#### CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory, Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

#### MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

with sufficient postage as first class mail

Date: 10/29/01

as "Express Mail Post Office to Addressee"

Mailing Label No EL762542155US (mandatory)

#### **TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703)

Judith Schick

(type or print name of person certifying)

(New Application Transmittal [4-1]—page 1 of 12)

<sup>\*</sup> Only the date of filing (§ 1 6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1 8 continues to be taken into account in determining timeliness See § 1 703(f) Consider "Express Mail Post Office to Addressee" (§ 1 10) or facsimile transmission (§ 1 6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations

#### 1. Type of Application

This new application is for a(n)

(check one applicable item below)

| ☐ Design   |
|--|
| ☐ Plant  |
| WARNING: Do not use this transmittal for a completion in the US of an International Application under 35 USC § 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application            |
| WARNING: Do not use this transmittal for the filing of a provisional application   |
| NOTE If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION |
| ☐ Divisional.  |
| ☐ Continuation   |
| ☐ Continuation-in-part (C-I-P)   |
| Renefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)  |

## Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U S C § 112 Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America, or
  - (ii) Complete as set forth in § 151(b), or
- (iii) Entitled to a filing date as set forth in § 1 53(b) or § 1 53(d) and include the basic filing fee set forth in § 116, or
- (iv) Entitled to a filing date as set forth in § 1 53(b) and have paid therein the processing and retention fee set forth in § 1 21(I) within the time period set forth in § 1 53(f)

37 CFR § 1 78(a)(1)

NOTE If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the US, or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICA-TION(S) CLAIMED

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 USC §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c) (35 U S C § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U S C §§ 119, 365(a) or 365(b) ) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach See Notice of April 14, 1995, 60 Fed Reg 20,195, at 20,205

(New Application Transmittal [4-1]—page 2 of 12)

| WAI  | RNINC    | h<br>pi                       | Then to st day of pendency of a provisional application falls Saturday, Sunday, or Federal poliday within the District of Columbia, any nonprovisional application claiming benefit of the rovisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the istrict of Columbia. See 37 C.F.R. § 1.78(a)(3).  |
|------|----------|-------------------------------|--|
|      |          | tior                          | e new application being transmitted claims the benefit of prior U.S. applican(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL HERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.  |
| 3. P | ape      | 's E                          | nclosed  |
| A.   | (De      | sign                          | ed for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 ) Application  |
|      |          | Pa                            | ages of specification  |
|      |          | <u>+</u> P                    | ages of claims   |
|      |          | <u>4</u> _ SI                 | heets of drawing   |
| WAF  | RNING    | fili<br>sn<br>dr<br>the<br>Fo | O NOT submit original drawings. A high quality copy of the drawings should be supplied when ing a patent application. The drawings that are submitted to the Office must be on strong, white, nooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the rawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 17-62).   |
| NOT  | in<br>th | vento<br>le Offi<br>n the     | fying indicia, if provided, should include the application number or the title of the invention, or's name, docket number (if any), and the name and telephone number of a person to call if ice is unable to match the drawings to the proper application. This information should be placed back of each sheet of drawing a minimum distance of 1.5 cm. (% inch) down from the top of the control of the c |
|      |          |                               | (complete the following, if applicable)  |
|      |          | a "l                          | e enclosed drawing(s) are photograph(s). Three (3) sets of photographs and PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)" are attached. 37 F.R. § 1.84(b).  |
|      |          | "PE                           | e enclosed drawing(s) are in color. Three (3) sets of color drawings and a ETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. 1.84(a)(2) and 1.84(b).   |
|      | X        | forr                          | mal  |
|      |          | info                          | ormal  |
| B.   | Oth      | er P                          | apers Enclosed   |
|      |          | Pa                            | ages of declaration and power of attorney  |
|      |          | L Pa                          | ages of abstract   |
|      |          | _0                            | ther   |
| 4. A | dditi    | ona                           | papers enclosed  |
|      |          | Am                            | endment to claims  |
|      |          |                               | Cancel in this applications claims before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)  |
|      |          |                               | Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)  |

(New Application Transmittal [4-1]—page 3 of 12)

| Ţ      | 3   | Preliminary Amendment   |
|--------|---|---|
| [X     | 9   | Information Disclosure Statement (37 C.F.R. § 1.98)   |
| X      | 3   | Form PTO-1449 (PTO/SB/08A and 08B)  |
| Ę      | 3   | Citations   |
|        | ]   | Declaration of Biological Deposit   |
|        |   | Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  |
|        |   | Authorization of Attomey(s) to Accept and Follow Instructions from Representative   |
|        | ]   | Special Comments  |
|        | ]   | Other   |
| 5. Dec | :lar  | ation or oath (including power of attorney)   |
| NOTE:  | the<br>by<br>api<br>the<br>by<br>be<br>de<br>pe | newly executed declaration is not required in a continuation or divisional application provided that a prior nonprovisional application contained a declaration as required, the application being filed is all or fewer than all the inventors named in the prior application, there is no new matter in the plication being filed, and a copy of the executed declaration filed in the prior application (showing a signature or an indication thereon that it was signed) is submitted. The copy must be accompanied a statement requesting deletion of the names of person(s) who are not inventors of the application ing filed. If the declaration in the prior application was filed under § 1.47, then a copy of that claration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning rson under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently ecuted declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3). |
| NOTE:  | is d<br>ab<br>co                                | declaration filed to complete an application must be executed, identify the specification to which it directed, identify each inventor by full name including family name and at least one given name, without breviation together with any other given name or initial, and the residence, post office address and untry or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 F.R. § 1.63(a)(1)-(4).  |
| NOTE:  | as<br>as<br>is t                                | the inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under a paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).  |
|        | 3   | Enclosed  |
|        |   | Executed by   |
|        |   | (check all applicable boxes)  |
|        |   | inventor(s).  |
|        |   | ☐ legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.   |
|        |   | joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.   |
|        |   | ☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.   |
| (2     | _   | Not Enclosed.   |
| NOTE:  | W   | here the filing is a completion in the U.S. of an International Application or where the completion of  |

the U.S. application contains subject matter in addition to the International Application, the application may be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

(New Application Transmittal [4-1]—page 4 of 12)

|         |              |  | 717.373             |
|---------|--------------|--|---------------------|
|         |              | Appearion is made by a person authorized unless 37 C.F.R behalf of all the above named inventor(s).  | . § 1.41(c) on      |
| (The    | decl         | aration or oath, along with the surcharge required by 37 C.F.R<br>can be filed subsequently).  | . § 1.16(e)         |
|         |              | ☐ Showing that the filing is authorized.  (not required unless called into question. 37 C.F.R. § 1.  | .41(d))             |
| 6. Inve | entor        | ship Statement   |                     |
| WARNII  | •            | If the named inventors are each not the inventors of all the claims an explanat<br>ownership of the various claims at the time the last claimed invention was a<br>submitted.  |                     |
| The in  | vent         | orship for all the claims in this application are:   |                     |
|         | ) <b>T</b> 1 | he same.   |                     |
|         |              | or   |                     |
|         |              | ot the same. An explanation, including the ownership of the varue time the last claimed invention was made,  | ious claims at      |
|         |              | ] is submitted.  |                     |
|         |              | ] will be submitted.   |                     |
| 7. Lan  | guag         | ge   |                     |
| NOTE:   | An E         | pplication including a signed oath or declaration may be filed in a language of inglish translation of the non-English language application and the processing ired by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within set by the Office. 37 C.F.R. § 1.52(d). | g fee of \$130.00   |
| Ę       | ) E          | nglish   |                     |
|         | ] N          | lon-English  |                     |
|         |              | The attached translation includes a statement that the translate. 37 C.F.R. § 1.52(d).   | lation is accu-     |
| 8. Ass  | ignm         |  |                     |
| X       | () A         | n assignment of the invention to Nokia Corporation   |                     |
|         |              | is attached. A separate  "COVER SHEET FOR ASSIGNAMENT) ACCOMPANYING NEW PATENT APPLICATION" or 1595 is also attached.  |                     |
|         | K            | ] will follow.   |                     |
| NOTE:   |              | n assignment is submitted with a new application, send two separate letters-one to<br>one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).  | for the application |
| WARNI   |              | A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed who in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G.  |                     |
|         | וד (         | his is a $\ \square$ continuation $\ \square$ divisional application and the as  | signment            |
|         | d            | ocument for the parent application 0 /   | was filed           |
|         | OI           | n  |                     |
|         |              | Re   | el                  |
|         |              | Fran   | 20                  |

(New Application Transmittal [4-1]-page 5 of 12)

| 9. | Ce | rtifie | ed C | ору |
|----|----|--------|------|-----|
|----|----|--------|------|-----|

| Certified    | copy(ies) | ot | application(s) |   |   |
|--------------|-----------|----|----------------|---|---|
| TT - 1 & - 1 | 77 1      |    | 002672         | _ | Λ |

|                                | 0026726.0  | November 1, 2000 |
|--------------------------------|------------|------------------|
| Country                        | Appln. No. | Filed            |
| Country                        | Appln. No. | Filed            |
| Country                        | Appln. No. | Filed            |
| from which priority is claimed |            |                  |
| is (are) attached.             |            |                  |
| € will follow                  |            |                  |

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 C.F.R. § 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. § 120 is itself entitled to priority from a prior foreign application, then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

### 10. Fee Calculation (37 C.F.R. § 1.16)

#### A. Regular application

| CLAIMS AS FILED                                  |             |       |          |  |  |  |  |  |
|--|-------------|-------|----------|--|--|--|--|--|
| Number filed                                     | Number E    | Extra | Rate     | Basic Fee<br>37 C.F.R. § 1.16(a)<br>\$740.00 |  |  |  |  |
| Total 23<br>Claims (37 C.F.R.<br>§ 1.16(c))      | 3<br>- 20 = | ×     | \$ 18.00 | 54.00  |  |  |  |  |
| Independent 2<br>Claims (37 C.F.R.<br>§ 1.16(b)) | 0 - 3 =     | ×     | \$ 84.00 |  |  |  |  |  |
| Multiple dependent claif any (37 C.F.R. § 1.     | * **        | +     | \$280.00 |  |  |  |  |  |

| Ш | - | ∢mendme | nt ca | ancelling | extra | claims | IS | enciosea. |
|---|---|---------|-------|-----------|-------|--------|----|-----------|
|---|---|---------|-------|-----------|-------|--------|----|-----------|

|  | Amendment | t deleting | multiple-c | iependenc | ies is | enclosed. |
|--|-----------|------------|------------|-----------|--------|-----------|
|--|-----------|------------|------------|-----------|--------|-----------|

☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 C.F.R. § 1.16(d).

Filing Fee Calculation

\$ 794.00

B. 

Design application

(\$330.00-37 C.F.R. § 1.16(f))

Filing Fee Calculation

\$\_\_\_\_

# C. ☐ Plant application (\$510.00-37 C.F.R. § 1.16(g))

#### Filing fee calculation

| \$ |  |  |  |
|----|--|--|--|
|    |  |  |  |

#### 11. Assertion of Small Entity Status

☐ Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27

NOTE: 37 C.F.R. § 1.27(c) deals with the assertion of small entity status, whether by a written specific declaration thereof or by payment as a small entity of the basic filing fee or the fee for the entry into the national phase and states:

- "(c) Assertion of small entity status. Any party (person, small business concern or nonprofit organization) should make a determination, pursuant to paragraph (f) of this section, of entitlement to be accorded small entity status based on the definitions set forth in paragraph (a) of this section, and must, in order to establish small entity status for the purpose of paying small entity fees, actually make an assertion of entitlement to small entity status, in the manner set forth in paragraphs (c)(1) or (c)(3) of this section, in the application or patent in which such small entity fees are to be paid.
  - (1) Assertion by writing. Small entity status may be established by a written assertion of entitlement to small entity status. A written assertion must:
    - (i) Be clearly identifiable;
    - (ii) Be signed (see paragraph (c)(2) of this section); and
    - (iii) Convey the concept of entitlement to small entity status, such as by stating that applicant is a small entity, or that small entity status is entitled to be asserted for the application or patent. While no specific words or wording are required to assert small entity status, the intent to assert small entity status must be clearly indicated in order to comply with the assertion requirement.
  - (2) Parties who can sign and file the written assertion. The written assertion can be signed by:
    - (i) One of the parties identified in § 1.33(b) (e.g., an attorney or agent registered with the Office), § 3.73(b) of this chapter notwithstanding, who can also file the written assertion;
  - (ii) At least one of the individuals identified as an inventor (even though a § 1.63 executed oath or declaration has not been submitted), notwithstanding § 1.33(b)(4), who can also file the written assertion pursuant to the exception under § 1.33(b) of this part; or
  - (iii) An assignee of an undivided part interest, notwithstanding §§ 1.33(b)(3) and 3.73(b) of this chapter, but the partial assignee cannot file the assertion without resort to a party identified under § 1.33(b) of this part.
  - (3) Assertion by payment of the small entity basic filing or basic national fee. The payment, by any party, of the exact amount of one of the small entity basic filing fees set forth in §§ 1.16(a), (f), (g), (h), or (k), or one of the small entity basic national fees set forth in §§ 1.492(a)(1), (a)(2), (a)(3), (a)(4), or (a)(5), will be treated as a written assertion of entitlement to small entity status even if the type of basic filing or basic national fee is inadvertently selected in error.
    - (i) If the Office accords small entity status based on payment of a small entity basic filing or basic national fee under paragraph (c)(3) of this section that is not applicable to that application, any balance of the small entity fee that is applicable to that application will be due along with the appropriate surcharge set forth in § 1.16(e), or § 1.16(f).
    - (ii) The payment of any small entity fee other than those set forth in paragraph (c)(3) of this section (whether in the exact fee amount or not) will not be treated as a written assertion of entitlement to small entity status and will not be sufficient to establish small entity status in an application or a patent."

WARNING: 37 C.F.R. § 1.27(c)(4): "Assertion required in related, continuing, and reissue applications. Status as a small entity must be specifically established by an assertion in each related, continuing and reissue application in which status is appropriate and desired. Status as a small entity in one application or patent does not affect the status of any other application or patent, regardless of the relationship of the applications or patents. The refiling of an application under § 1.53 as a continuation, divisional, or continuation-in-part application (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application, requires a new assertion as to continued entitlement to small entity status for the continuing or reissue application."

**WARNING:** "Small entity status must not be established when the person or persons signing the . . . statement can **unequivocally** make the required self-certification." M.P.E.P., § 509.03 (emphasis added).

|       |            |               |                             | (cc              | omplete i                      | the folio               | owing, i                | f applic                | able)                      |                    |   |
|-------|------------|---------------|-----------------------------|------------------|--------------------------------|-------------------------|-------------------------|-------------------------|----------------------------|--------------------|---|
|       | כ          | Sta           | tus as a                    | small            | entity w                       | as ass                  | erted in                | the pri                 | ior appli                  | catio              | n   |
|       |            |               | /_                          |                  |                                | , file                  | ed on _                 | ,                       |                            | , f                | rom which benefit   |
|       |            | is t          | eing clai                   | med              | for this a                     | applicat                | ion und                 | ler:                    |                            |                    |   |
|       |            | 35            | 5 U.S.C.                    |                  | 119(e)<br>120<br>121<br>365(c) |                         |                         |                         |                            |                    |   |
|       |            |               | nd which oplication         |                  | s as a s                       | mall en                 | tity is s               | till prop               | er and                     | assei              | ted for this  |
|       |            |               | A copy is include           |                  | written                        | asserti                 | on of si                | mall ent                | tity filed                 | in th              | e prior application   |
| NOTE: | est<br>for | ablis<br>a re | thing status<br>fund of the | as a si<br>exces | mall entity i<br>s amount a    | may only<br>are filed t | be obtair<br>within thr | ned if an a<br>ee month | assertion u<br>is of the d | ınder (<br>late of | nely paid in full prior to<br>§ 1.27(c) and a request<br>the timely payment of<br>C.F.R. § 1.28(a). |
|       |            | Filir         | ng Fee C                    | alcula           | ition (509                     | % of <b>A</b> ,         | B or C                  | above                   | e)                         |                    |   |
|       |            |               |                             |                  |                                |                         |                         |                         |                            | \$_                |   |
| 2. Re | qu         | est           | for Inter                   | matio            | nal-Type                       | e Searc                 | ch (37 (                | C.F.R. §                | 1.104(                     | d))                |   |
|       |            |               |                             |                  | (con                           | nplete, i               | if applic               | cable)                  |                            |                    |   |
|       |            |               | ase prepa<br>en nation      |                  |                                |                         |                         | -                       |                            | s app              | lication at the time  |

|       |                       | rayment being made at This Time   |                           |
|-------|-----------------------|---|---------------------------|
|       | <b>Ç</b>              | Not Enclosed  |                           |
|       |                       | No filing fee is to be paid at this time.  (This and the surcharge required by 37 C.F.R. § subsequently.)   | 1.16(e) can be paid       |
| i     |                       | Enclosed  |                           |
|       |                       | ☐ Filing fee  | \$                        |
|       |                       | ☐ Recording assignment (\$40.00; 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)   | \$                        |
|       |                       | Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached  (\$130.00: 37.0 F.R. 66. 1.47 and 1.17(i))   | •                         |
|       |                       | (\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i))   | \$                        |
|       |                       | For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))   | \$                        |
|       |                       | ☐ Processing and retention fee (\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l))   | \$                        |
|       |                       | Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))   | \$                        |
| NOTE: | faili<br>37 (<br>eith | C.F.R. § 1.21(I) establishes a fee for processing and retaining any applicating to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, a C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of the the basic filing fee must be paid, or the processing and retention fee of thin 1 year from notification under § 53(f). | as well as the changes to |
|       |                       | Total fees enclosed   | \$                        |
| 14. M | etho                  | od of Payment of Fees   |                           |
|       | 3 /                   | Attached is a   |                           |
|       | ] /                   | Authorization is hereby made to charge the amount of \$_  |                           |
|       | [                     | ☐ to Deposit Account No   |                           |
|       | [                     | to Credit card as shown on the attached credit card inf<br>tion form PTO-2038.  | formation authoriza-      |
| WARNI | NG:                   | Credit card information should not be included on this form as it may it  | become public.            |
|       | ] (                   | Charge any additional fees required by this paper or cred in the manner authorized above.   | it any overpayment        |
|       |                       | A duplicate of this paper is attached.  |                           |

# 15. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed. WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized. The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application. ☐ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees) ☐ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims) NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action. 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application) 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)). 37 C.F.R. § 1.17 (application processing fees) NOTE: ". . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission. as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3). 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b)) NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b). NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . " From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity. 16. Instructions as to Overpayment NOTE: ". . . Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a). Credit Account No. \_ Refund

Reg. No. 27,550

Tel. No. (203) 261-1234

Customer No. 004955

SIGNATURE OF PRACTITIONER

Alfred A. Fressola

(type or print name of attorney)

Ware, Fressola, Van Der Sluys & Adolphson LLP

P.O. Address

755 Main Street, Building Five

PO Box 224

Monroe, CT 06468

(New Application Transmittal [4-1]—page 11 of 12)



| Ð  | Incor          | poration by reference of added pages  |  |
|--|----------------|---|--|
|  | pi<br>st<br>th | theck the following item if the application in this transmittal claims the benefit of crior U.S. application(s) (including an international application entering the U.S. tage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF RIOR U.S. APPLICATION(S) CLAIMED) |  |
|  |                | Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed   |  |
|  |                | Number of pages added   |  |
|  | [3]            | Plus Added Pages for Papers Referred to in Item 4 Above  Number of pages added  |  |
|  |                | Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.  |  |
|  |                | Number of pages added   |  |
|  |                | Plus "Assignment Cover Letter Accompanying New Application"   |  |
|  |                | Number of pages added   |  |
|  | State          | ment Where No Further Pages Added   |  |
| (if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item) |                |   |  |
|  |                | This transmittal ends with this page.   |  |